IN THE CLAIMS:

Claims 1-14 (cancelled).

15. (currently amended) The forceps according to claim 23, wherein said leaf spring is mounted between ~~abutting~~ side walls within said first member clamping portion.

16. (withdrawn) The forceps according to claim 15, wherein said first member clamping portion and gripping portion are hinged together at a pivoting point, wherein said pivoting point is the second end of the spring and wherein said spring is confined between two convex, side walls of a clamping portion and a prolongation of a gripping portion of the first member forms the element which engages the leaf spring.

17. (withdrawn) The forceps according to claim 16, wherein said locking element is a rod mounted pivotally on the second member, the rod extending through an opening within the gripping portion of the second member and having grooves on the side directed towards the gripping portions of the forceps and wherein the grooves of the rod can be engaged through the complementary locking element formed as a nose extending from said gripping portion of the first member.

18. (withdrawn) The forceps according to claim 17, wherein said rod is prebiased in direction of the jaws of the forceps through the leaf spring pushing the rod in the direction of the grooves on the side directed towards the gripping elements.

Claim 19 (cancelled)

20. (currently amended) The forceps according to claim 23, wherein the locking elements on the first and second members are

curved elements wherein at least one locking element has a changing radius of curvature, in order to provide, in the closed setting - a blocking device upon contact of the surfaces of the catching elements prohibits~~against~~ further movement in the direction of opening the forceps.

Claims 21 and 22 (cancelled)

23. (currently amended) A forceps comprising:

a first member having a clamping portion at a first end and a gripping portion at a second end;

a second member pivotally connected to said first member at a first pivot point, said second member having a clamping portion at a first end and a gripping portion at a second end, said first and second gripping portions adapted to be gripped by the thumb and fingers of a hand;

a leaf spring mounted on the first members, the leaf spring having first and second ends, the first end mounted on the first member, the leaf spring spaced along a length of the first member, the leaf spring having a length greater than the length between the first and second ends along the first member so that the leaf spring can lie on either side of a straight line connecting the first and second ends thereof;

a locking element mounted on said first member for engaging a complimentary locking element on said second member, said locking element on the first member having an element engaging the leaf spring for moving the leaf spring from a first ~~one~~ side of the line to a second~~the other~~ side of the line; and

an actuator mounted on ~~said gripping portion of~~ said first member for moving said locking element between a first locked position and a second unlocked position, the leaf spring biasing the locking element toward the first locked position when on the first side of the line and biasing the locking element

toward the second unlocked position when on the second side of the line, said actuator adapted to be moved by said thumb or fingers of said hand while said gripping portions of said first and second members are gripped.

24. (withdrawn) The forceps as set forth in claim 23 wherein said gripping portion of said first member is a fingerhole portion pivotally coupled to said clamping portion of said first member and said actuator is actuated by movement of said fingerhole portion with respect to said clamping portion.

25. (previously presented) The forceps as set forth in claim 23 wherein said actuator is operatively coupled to said first member and has a finger engaging portion located adjacent a surface of said first member gripping portion remote from said second member gripping portion.

26. (previously presented) An orthopedic ratcheting forceps comprising:

a first handle having a clamping portion at a first end and a gripping portion at a second end;

a second handle pivotally connected to said first handle at a first pivot point, said second handle having a clamping portion at a first end and a gripping portion at a second end, said first and second gripping portions are adapted to be gripped by the thumb and fingers of a hand;

a first catching element pivotally mounted with said first or second handle,

a second catching element being complimentary to the first catching element and mounted with the other handle of the first or second handle, said first and said second catching element can assume only two stable settings which can be switched with said hand, one closed setting within the clamping portions can only be

further closed and an open setting within which the handles are freely moveable, so that the forceps can be opened as well as closed;

a spring member arranged in said first handle or said second handle, wherein said spring member is biased between a first mounting point and a second mounting point;

a lever end which is connected with one of the catching elements engages the spring member;

an actuator which is in connection with said lever end for moving said lever end between the closed setting and the open setting;

wherein said second mounting point is the point of engagement of the lever end which can be switched between two side walls within said first handle and the first catching element and the complementary catching element are curved elements wherein at least one catching element has a changing radius of curvature to provide a blocking element when the forceps is in its closed setting upon contact of the surfaces of the catching elements against further movement in the direction of openings the forceps.

27. (previously presented) The forceps according to claim 26, wherein the actuator is the first handle which is pivotable.

28. (previously presented) The forceps according to claim 26, wherein the spring member is a leaf spring mounted within the first handle or wherein the spring member is a part of said first handle having a memory effect allowing for the two settings.

29. (currently amended) The forceps according to claim 28, wherein said spring member is mounted between facing~~abutting~~ side walls within said first handle.

30. (withdrawn) The forceps according to claim 29, wherein said first handle comprises two portions hinged together at a pivoting point, wherein said pivoting point is the second mounting point of the spring and wherein said spring is confined between two, especially convex, side walls of the clamping portion of the two portions and the prolongation of the fingerhole portion of the two portions forms the lever end and engages the leaf spring.

31. (withdrawn) The forceps according to claim 30, wherein said first catching element is a rod mounted pivotally on the second handle, the rod extending through an opening within the fingerhole portion and having grooves on the side directed towards the jaws of the forceps and wherein the grooves of the rod can be engaged through the complementary catching element formed as a nose extending from said fingerhole portion.

32. (withdrawn) The forceps according to claim 31, wherein said rod is prebiased in direction of the clamping elements of the forceps through a spring pushing the rod in the direction of the grooves on the side directed towards the jaws.

33. (withdrawn) The forceps according to claim 26, wherein said first catching element is a rod mounted pivotally on the second handle, the rod extending through an opening within the handle and having grooves on the side directed towards the clamping elements of the forceps and wherein the grooves of the rod can be engaged through the spring.

34. (withdrawn) The forceps according to claim 26, wherein the complementary catching element is part of the activation element comprising the complementary catching elements which can be pushed inside said opening within the handle to disengage the

spring from the rod.

35. (withdrawn) The forceps according to claim 26, wherein said gripping portion of said first member is a fingerhole portion pivotally coupled to said clamping portion of said first member and said actuator is actuated by movement of said fingerhole portion with respect to said clamping portion.

36. (previously presented) The forceps according to claim 26, wherein said actuator is operatively coupled to said first member and has a finger engaging portion located adjacent a surface of said first member gripping portion remote from said second member gripping portion.

37. (new) An orthopedic ratcheting forceps, comprising first and second handles, each handle having a jaw at one end thereof, wherein a first catching element is pivotally mounted with the first handle, wherein a complementary catching element is mounted on the second handle, wherein the catching elements can assume a closed and an open stable setting which can be switched with a single hand, the closed setting where the jaws of the forceps can only be further closed and the open setting wherein the handles of the forceps are freely movable, so that the forceps can be opened as well as closed, wherein a spring means is provided in the first handle, the spring means is biased between first and second mounting points, a lever end connected with one of the catching element engages the spring means and through movement of an activation element the lever end is switchable between the closed setting and the open setting, wherein the second mounting point is the point of engagement of the lever end which can be switched between two side walls formed with the first handle, and the first catching element and the complementary catching element are curved elements wherein at

least one catching element has a changing radius of curvature, in order to provide, in the closed setting, a blocking device upon contact of the surfaces of the catching element against further movement in the direction of opening the forceps.

38. (new) The forceps according to claim 37, wherein the spring means is a leaf spring mounted within the first handle having a memory effect allowing for the open and closed settings.